

STANDING CHAPTER 13 TRUSTEE ALEJANDRO OLIVERAS RIVERA
REPORT OF ACTION TAKEN
MEETING OF CREDITORS

In re:

CASTULO MERCADO ORTIZ

Case No. 11-02541-SEK

Chapter 13

Attorney Name: MARILYN VALDES ORTEGA*

I. Appearances Debtor <input checked="" type="checkbox"/> Present <input type="checkbox"/> Absent Joint Debtor <input type="checkbox"/> Present <input type="checkbox"/> Absent Attorney for Debtor <input checked="" type="checkbox"/> Present <input type="checkbox"/> Absent <input type="checkbox"/> Prosec <input checked="" type="checkbox"/> Substitute Ada M. Henriquez	Date & Time: 6/9/2011 8:19:00AM <input checked="" type="checkbox"/> R <input type="checkbox"/> NR LV: \$132,892.00 <input checked="" type="checkbox"/> This is debtor(s) 1 Bankruptcy filing. Creditors: <div style="border: 1px solid black; height: 100px; margin-top: 5px;"><u>None</u></div>
II. Oath Administered <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
III. Plan Date: 05/24/2011 Base: \$75,000.00 Payments 2 made out of 2 due. Confirmation Hearing Date: 5/27/2011 9:00:00AM Evidence of Pmt shown:	
Attorney's fees as per R. 2016(b) \$3,000.00 - \$525.00 = \$2,475.00	
IV. Status of Meeting <input checked="" type="checkbox"/> Closed <input type="checkbox"/> Not Held <input type="checkbox"/> Held/Continued <input type="checkbox"/> Held/Not Closed <input type="checkbox"/> Continued Continued Date: Comments:	
 <input type="checkbox"/> M.T.D. to be filed by Trustee: Debtor(s) failed to: <input type="checkbox"/> Appear: <input type="checkbox"/> Commence payments <input type="checkbox"/> Keep payments current <input type="checkbox"/> does (do) not qualify as a debtor (§109): <input type="checkbox"/> MTD Already filed, see Docket: <input type="checkbox"/> Other:	

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(Cont.)

Trustee's Report on Confirmation

☐ FAVORABLE

☒ UNFAVORABLE

☐ Feasibility

☐ Insufficiently funded

☐ Unfair discrimination

☐ Fails disposable income

☐ Fails liquidation value test

☐ Insuarence quote

☐ No provision for secured creditor(s)

☐ Treat value of collateral separately

☐ No provision for insurance

☒ Tax returns missing

☒ State - years 2007 thru 2009

☒ Federal - years 2007 thru 2010

Pending/Items/ Documents:

☐ Assumption/Rejection executory contract

☐ Appraisal

☐ DSO Recipient's Information

☐ Evidence of being current with DSO

☐ Evidence of income

☐ Business Documents

☐ Monthly reports for the months

☐ Public Liability Insurance

☐ Premises

☐ Vehicle(s):

☐ Licenses issued by:

COMMENTS

1. Wet signature on petition is undated. Debtor does not remember when he signed it. On the other hand we have a petition on file which is signed electronically on March 28, 2011, the filing date. In the opinion of the Trustee this filing constitutes a violation of Bankruptcy Rule 9011 and General Order regarding the filing by ECF/CM. Trustee to address the matter with the Court. 2. Debtor has not and is not paying monthly the IVU tax and per his certificate he is a retaining agent. 3. March and April 2011 reports do not sustain an average \$8,505.00 monthly income. 4. Amend schedule J since mortgage expense is now \$1,173.00. 5. Debtor only showed his 2010 tax return as filed. 6. Debtor has not budgeted tax expense of any kind.

s/Alejandro Oliveras

Trustee/Presiding Officer

Date: 06/09/2011

(Rev. 02/11)